

Jun 02, 2021

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

RONALD CRAIG ILG,

Defendant.

Nos. 2:21-CR-0049-WFN-1

ORDER

An expedited first pretrial conference and motion hearing was held June 1, 2021. The Defendant, who is not in custody, was present and represented by Carl Oreskovich; Assistant United States Attorney David Herzog represented the Government for James Goeke and Richard Barker.

The Government reported that much of the discovery has been produced, but more is forthcoming including the forensic downloads of electronic devices. The Court addressed Defendant's oral motion to continue. The Government had no objection to a continuance. The Court has reviewed the file and is fully informed. This Order is entered to memorialize and supplement the oral rulings of the Court. Accordingly,

**IT IS ORDERED** that:

1. Pursuant to Fed. R. Crim. P. 5(f) and LCrR 16(a)(6), at arraignment or within 14 days thereafter, the government is required to disclose evidence favorable to the defendant and material to the defendant's guilt or punishment to which defendant is entitled pursuant to *Brady v. Maryland*, 373 U.S. 83 (1963) and its progeny. This is a continuing duty for newly discovered evidence. LCrR 16(c). Pursuant to Fed. R. Crim. P. 16(d)(2), failure to comply may result in an order permitting the discovery or inspection; granting a continuance; or any other order that is just under the circumstances (including sanctions, dismissal, exclusion of evidence or witnesses).

2. Defendant's oral motion for a trial continuance is **GRANTED**.

The Court finds that the ends of justice served by the granting of a continuance of the trial in this matter outweigh the best interests of the public and the Defendant in a speedy trial. A trial date of July 12, 2021, would unreasonably deny Defendant the opportunity to review discovery, file appropriate pretrial motions, investigate the charges against him, and to benefit from effective assistance of counsel, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7).

3. The original trial date of July 12, 2021, is **STRICKEN and RESET to October 18, 2021, at 10:00 a.m., in Spokane**, Washington.

4. All time from the trial date of July 12, 2021, to the new trial date of October 18, 2021, is **EXCLUDED** for speedy trial calculations pursuant to 18 U.S.C. § 3161(h)(7). Defendant executed a waiver of speedy trial rights.

5. The **July 12, 2021**, final pretrial conference is **STRICKEN and RESET to October 18, 2021, at 8:30 a.m., in Spokane**, Washington.

6. Trial briefs, motions in limine, requested voir dire and a set of proposed **JOINT JURY INSTRUCTIONS** shall be filed and served on or before **October 4, 2021**.

Jury instructions should only address issues that are unique to this case and shall include instructions regarding the elements of each claim, any necessary definitions and a proposed verdict form. The Joint Proposed Jury Instructions shall include:

(a) The instructions on which the parties agree; and

(b) Copies of instructions that are disputed (i.e., a copy of each party's proposed version of an instruction upon which they do not agree). All jury instructions from the most current edition of the Ninth Circuit Manual of Model Jury Instructions may be proposed by number. The submission of the Joint Proposed Jury Instructions will satisfy the requirements of LR 51.1(c).

Each party shall address any objections they have to instructions proposed by any other party in a memorandum. The parties shall identify the specific portion of any proposed instruction to which they object and shall elaborate the basis for the objection. Objections

1 asserting that an instruction sets forth an incorrect statement of law shall describe the legal  
2 authority that supports this objection. Failure to file an objection and supporting argument  
3 may be construed as consent to the adoption of an instruction proposed by another party.

4 7. The parties are requested to submit courtesy copies of witness and exhibit lists to  
5 the Court no later than **12:00 noon the Monday before trial.**

6 8. An additional pretrial conference shall be held **September 29, 2021, at 9:00 a.m.,**  
7 **in Spokane, Washington.**

8 (a) All additional motions shall be filed and served no later than **September 11,**  
9 **2021.**

10 (b) Responses shall be filed and served no later than **September 18, 2021.**

11 9. Indigent Defendant's requests for issuance of subpoenas and payment of costs and  
12 fees for trial witnesses shall be filed no later than ten days before trial, excluding weekends  
13 and holidays.

14 The District Court Executive is directed to file this Order and provide copies to  
15 counsel.

16 **DATED** this 2nd day of June, 2021.

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19 WM. FREMMING NIELSEN  
20 SENIOR UNITED STATES DISTRICT JUDGE

21 06-01-21